

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 4/28/2022

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
Nasean Bonie,

Plaintiff,

19 **CIVIL** 11822 (AJN)(DCF)

-against-

JUDGMENT

Anthony Annucci,

Defendant.

-----X

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated April 28, 2022, as of this date, no objections to the Report & Recommendation have been filed, and the deadline for objections has passed. The Court has reviewed the Report & Recommendation for clear error. It found none. Thus, the Report & Recommendation is adopted in its entirety and Petitioner's § 2254 petition is dismissed for the reasons provided in Judge Freeman's Report & Recommendation. Because Petitioner "has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue." *Perez v. United States*, No. 04-CV-7148 (JSR), 2007 WL 685949, at *1 (S.D.N.Y. Jan. 29, 2007) (citing 28 U.S.C. § 2253). The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue); accordingly, the case is closed.

Dated: New York, New York
April 28, 2022

RUBY J. KRAJICK

Clerk of Court

BY:

K. Mango
Deputy Clerk